

MEMORANDUM

Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida

(305) 375-5126 (305) 375-2484 FAX www.miami-dadeclerk.com

GOE

Agenda Item No. 6(A)

TO:

Honorable Natacha Seijas

DATE:

June 15, 2004

and Members of the Governmental

Operations and Environment Committee

SUBJECT:

Approval of Commission

Committee Minutes

FROM: Kay M. Sullivan, Director

Clerk of the Board

The following Clark's Summery of Minut

The following Clerk's Summary of Minutes is submitted by the Clerk of the Board for approval by the Governmental Operations and Environment Committee:

> April 20, 2004

Attachment KMS/as



CLERK'S SUMMARY OF

Stephen P. Clark Government Center 111 N.W. 1st Street Miami, FL 33128

Meeting Minutes

Governmental Operations and Environment Committee

Natacha Seijas (13), Chairperson; Jose "Pepe" Diaz (12), Vice Chairperson; Commissioners Dorrin D. Rolle (2), Joe A. Martinez (11), Rebeca Sosa (6); and Javier D. Souto (10)

Tuesday, April 20, 2004

9:30 AM

COMMISSION CHAMBERS

Members Present:

Jose "Pepe" Diaz, Joe A. Martinez, Dorrin D. Rolle, Natacha Seijas,

Rebeca Sosa, Sen. Javier D. Souto.

Members Absent:

None.

Members Late:

None.

Members Excused: None.

1A INVOCATION

PLEDGE OF ALLEGIANCE **1B**

1C **ROLL CALL**

Report:

In addition to the members of the Committee present at today's meeting, there were also present

the following staff support:

Assistant County Manager Pete Hernandez; Assistant County Attorney Craig Coller; Assistant County Attorney Henry Gillman; Assistant County Attorney Robert Duval; and Deputy Clerks Doris

Dickens and Alicia Stephenson

041726 Report

CHANGES TO TODAY'S AGENDA

Report:

Assistant County Attorney Henry Gillman

indicated that in addition to the County Manager's memorandum entitled, "Requested Changes to the Governmental Operations and Environment

Committee Agenda (April 20, 2004)," the

following additional changes had been requested:

Agenda Item 3T was added to the agenda.

1D CHAIRPERSON

1D1

040594 Special Presentation

REMARKS FROM CHAIRPERSON SEIJAS

Presented

Report:

Chairperson Seijas, as Chair of the GOE Committee, requested that County Manager Burgess incorporate the pilot testing of alternative treatment technologies for the South District Wastewater Treatment Plan in the Federal Legislative Package.

She noted the County Attorney had prepared, upon her request, a proposed resolution giving the County Manager clear direction to implement the decision made by the Board regarding the County logo.

Chairperson Seijas acknowledged citizens from Commission District 13 whom she noted were observing today's proceedings. She invited each of her colleagues to join her and the students later for lunch.

1E SPECIAL PRESENTATION

1E1

041052 Special Presentation

Natacha Seijas

RECOGNITION OF MERITORIOUS SERVICE ON THE MORNING OF MARCH 26, 2004 BY FIVE WASD EMPLOYEES

Presented

1F POLICY MATTERS FOR DISCUSSION

Tuesday, April 20, 2004

1F1

040645 **Discussion Item**

ERD REPORT DISCUSSING AN ANALYSIS ON THE HIRING PROCESS/RECRUITMENT CYCLE OF A COUNTY EMPLOYEE (Employee Relations Department) Deferred to next committee meeting

Mover: Diaz Seconder: Rolle Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed policy matter into the record.

The Committee deferred the foregoing proposed policy matter to the next GOE Committee meeting scheduled for May 18, 2004 at 9:30 a.m. pending the submittal of a report requested at the last GOE

meeting.

1F2

033261 **Discussion Item** Dennis C. Moss

DEPARTURE INCENTIVE PROGRAM (D.I.P.) [SEE AGENDA ITEM NOS. 3(O) & 7(D)]

Withdrawn Mover: Seijas Seconder: Sosa Vote: 4-0

Absent: Martinez, Souto

2 **DEPARTMENTS**

Tuesday, April 20, 2004

2A

040884 Resolution

RESOLUTION ESTABLISHING STANDARDS AND CRITERIA FOR THE MIAMI-DADE COUNTY COMMUNITY PERIODICAL ADVERTISING PROGRAM (Communications Department)

Deferred to next committee meeting

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Mr. Juan Mendieta, Communications Department Director, responded to questions and concerns raised by Commissioner Sosa regarding the audit conducted on the Community Periodicals Advertising Program (CPAP). He also responded to Commissioner Martinez' question regarding "6. Administrative Costs." on handwritten page 7 of this proposed resolution.

Discussion ensued regarding number 2. on handwritten page 2 of the proposed resolution. Commissioner Martinez suggested that audits be scheduled for a time certain (every six months). He noted he did not support the scheduling of random audits by the Communications Department.

Upon concluding the discussion, the Committee deferred this resolution to the next GOE Committee meeting scheduled for May 18, 2004, pending the submittal of a revised report to each Committee member on the audit conducted on the CPAP as it pertains to the sample periodicals and distribution sites, including the protocol used to locate distribution sites, the sites selected, and the dates and times staff visited each distribution site, as requested by Commissioner Sosa.

2B

040904 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION IN EXECUTING A GRANT AGREEMENT TO RECEIVE AND EXPEND FUNDS FROM THE FLORIDA GREEN BUILDING COALITION, INC. TO ASSIST IN THE DEVELOPMENT OF A FLORIDA GREEN MUNICIPALITY STANDARD (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Diaz
Vote: 5-0
Absent: Souto

2C

041003 Resolution

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A RETROACTIVE ENVIRONMENTALLY ENDANGERED LANDS COVENANT TO SUPERSEDE AND REPLACE THE EXISTING ENVIRONMENTALLY ENDANGERED LANDS COVENANT, MIAMI-DADE COUNTY FLORIDA (Department of Environmental Resources Management)

Forwarded to BCC with a favorable

recommendation Mover: Martinez Seconder: Diaz Vote: 5-0 Absent: Souto

2D

040906 Resolution

RESOLUTION ACCEPTING FIVE PARK NATURAL AREAS FOR MANAGEMENT BY THE ENVIRONMENTALLY ENDANGERED LANDS (EEL) PROGRAM, ADDING THESE NATURAL AREAS TO THE EEL PRIORITY A ACQUISITION LIST AND AUTHORIZING THE COUNTY MANAGER TO TRANSFER FUNDS FROM THE EEL ACQUISITION TRUST FUND TO THE EEL MANAGEMENT TRUST FUND (Department of Environmental Resources Management)

Forwarded to BCC with a favorable

recommendation Mover: Martinez Seconder: Diaz Vote: 5-0 Absent: Souto 2E

041071 Resolution

RESOLUTION APPROVING CHANGE ORDER NUMBER ONE AND FINAL TO THE CONTRACT WITH SUBAQUEOUS SERVICES, INC., FOR RED ROAD PHASE II CANAL REPAIR, RESTORATION, AND SEDIMENT HANDLING, PROJECT NO. C02-DERM-EEC (DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT CONTRACT NO. CF002230) (Department of Environmental Resources Management)

Forwarded to BCC with a favorable recommendation
Mover: Sosa
Seconder: Diaz
Vote: 5-0

Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Rolle asked Mr. John Renfrow, Department of Environmental Resources Management (DERM) Director, to confer with the Department of Business Development to determine whether any minority contractors were eligible to be included in this contract at the time of the bid award, and report back to him.

Commissioner Seijas, as Committee Chairperson, asked that the Chair of the County Manager's Review Committee meet with Commissioner Rolle individually to address his concern regarding the exclusion of contract measures for small and minority firms in canal dredging contracts or that he/she be available to respond at the next BCC meeting.

Mr. John Renfrow, Director, Department of Environmental Resources Management (DERM), responded to questions from Committee members relating to retroactive approval of the change order. In response to Commissioner Diaz, Mr. Renfrow stated that the change order was completed a few months ago and payment to the contractor was outstanding.

Commissioner Diaz noted the Committee previously asked that any changes to projects be approved by the County Commission before any work was performed. He noted, for the record, that he did not support this change order.

Commissioner Sosa suggested that Assistant County Manager Pete Hernandez meet with Commissioner Seijas as Chair of the GOE Committee, to discuss the feasibility of amending the existing rules and procedures to require that Change Orders be forwarded for Committee review before being heard by the County Commission to prevent retroactive approval. Also, Commissioner Sosa requested that Assistant County Manager Pete Hernandez provide her with a report on the status of the Canal Dredging Program.

Commissioner Diaz requested that Assistant County Manager Pete Hernandez work with the County Attorney's Office to provide a report within the next 60 days on the history of all change orders issued in the last three years, including a breakdown of change orders per department, per company and per project. He asked that the explanation (justification for this change order) provided by Department of Environmental Resources Management (DERM) Director John Renfrow, on the record on April 20, 2004, be incorporated as a part of this report.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed resolution.

2F

040493 Resolution

RESOLUTION APPROVING THE APPOINTMENT OF THREE REPLACEMENT MEMBERS TO THE SOUTH MIAMI-DADE WATERSHED PLAN ADVISORY COMMITTEE (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation
Mover: Diaz.

Seconder: Seijas Vote: 5-0 Absent: Souto

2G

040903 Resolution

RESOLUTION APPROVING THE APPOINTMENT OF TWO MEMBERS TO THE SOUTH MIAMI-DADE WATERSHED PLAN ADVISORY COMMITTEE (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Seijas
Vote: 5-0
Absent: Souto

2H

040504 Resolution

RESOLUTION WAIVING THE RESIDENCY
REQUIREMENT OF SECTION 2-11.38 OF THE MIAMIDADE COUNTY CODE AND APPROVING THE
APPOINTMENT OF HOWARD NELSON TO THE SOUTH
MIAMI-DADE WATERSHED PLAN ADVISORY
COMMITTEE (Department of Planning & Zoning)

Deferred to next committee meeting

Mover: Sosa Seconder: Seijas Vote: 5-0 Absent: Souto

Report:

Commissioner Seijas, as Chairperson of the GOE Committee, asked that a Miami-Dade County resident be nominated by the Builders Association of South Florida and the Latin Builders Association to replace Mr. Lester Goldstein on the South Miami-Dade Watershed Plan Advisory Committee.

Assistant County Manager Pete Hernandez agreed.

The Committee deferred this proposed resolution for consideration at its next meeting scheduled for May 18, 2004 at 9:30 a.m.

21

040896 Resolution

RESOLUTION ACCEPTING THE MODEL CITY/BROWNSVILLE CHARRETTE REPORT INCLUDING ITS PLAN AND RECOMMENDATIONS AND AUTHORIZING THE PREPARATION OF A FINAL AREA PLAN AND THE NECESSARY AMENDMENTS TO THE CODE OF MIAMI-DADE COUNTY TO IMPLEMENT THE CHARRETTE'S PLAN AND RECOMMENDATIONS (Department of Planning & Zoning)

Forwarded to BCC with a favorable recommendation

Mover: Diaz Seconder: Seijas Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Sosa requested that future proposals providing for the implementation of Charrette/Area Plans include an explanation of the funding source.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed resolution.

2J

040409 Resolution

RESOLUTION DECLARING COUNTY-OWNED PROPERTY LOCATED AT 496 NE 29 STREET, SURPLUS, AUTHORIZING THE CONVEYANCE OF SAID PROPERTY TO THE CITY OF MIAMI, A MUNICIPAL CORPORATION OF THE STATE OF FLORIDA; AND AUTHORIZING EXECUTION OF A COUNTY DEED FOR SUCH PURPOSE (General Services Administration Department)

Deferred to next committee meeting

Mover: Martinez Seconder: Diaz Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

General Services Administration Director Bernard McGriff responded to questions from Commissioner Martinez regarding the property at 496 NE 29 Street documented in Agenda Item No. 2J, which was being conveyed to the City of Miami versus the properties listed in Agenda Item No. 2K, which were being declared as County-owned surplus property.

The Committee deferred proposed agenda items 2J and 2K to its next meeting scheduled for May 18, 2004, pending staff's clarification of the language contained in the Florida State Statutes pertaining to the conveyance of properties acquired by the County via tax deed to municipalities of jurisdiction, as requested by Commissioner Martinez.

Commissioner Diaz asked that an updated list of County-owned surplus properties be submitted for review at the next GOE Committee meeting scheduled for May 18, 2004.

Assistant County Manager Pete Hernandez agreed to submit the report to all voting members of the Committee.

There being no other discussion, the Committee considered the next agenda item.

2K

040528 Resolution

RESOLUTION DECLARING VARIOUS COUNTY-OWNED PROPERTIES SURPLUS; AUTHORIZING THE PUBLIC SALE OF SAME TO THE HIGHEST BIDDER; AUTHORIZING THE COUNTY MANAGER TO TAKE ALL ACTIONS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTIES; AND AUTHORIZING EXECUTION OF COUNTY DEEDS FOR SUCH PURPOSE (General Services Administration Department)

Deferred to next committee meeting

Mover: Martinez Seconder: Diaz Vote: 5-0 Absent: Souto

Report: See Note Under Agenda Item No. 2J

2L

040908 Resolution

RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT AT 172 WEST FLAGLER STREET, SUITES A, B AND F, MIAMI, WITH JACK THOMAS, INC., AS AGENT FOR FLAGLER BUILDING J.V., FOR PREMISES TO BE UTILIZED BY DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT FOR THE CONTRACTS AND SPECIFICATIONS SECTION; AND AUTHORIZING THE COUNTY MANAGER TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN (General Services Administration Department)

Deferred to next committee meeting

Mover: Martinez Seconder: Diaz Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

In response to Commissioner Martinez, Assistant County Manager Pete Hernandez explained that the Department of Environmental Resources Management (DERM) would move to Overtown. He noted the justification for this proposed resolution on handwritten page 1.

The Committee deferred this proposed resolution to its next meeting scheduled for May 18, 2004, pending a report outlining costs involved in relocating the Department of Environmental Resources Management (DERM) staff from the existing location at 33 S.W. 2nd Avenue to 172 West Flagler Street as requested by Commissioner Martinez.

Chairperson Seijas requested that all departments provide Commissioners with sufficient information to make informed decisions.

There being no other discussion, the Committee proceeded to vote on the proposed resolution.

2M

040515 Resolution

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN INVESTIGATIVE SERVICES FOR SELECTED WORKERS' COMPENSATION AND TORT LIABILITY CLAIMS, TO EXERCISE ANY CANCELLATION AND READVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFP NO. 425 (Procurement Management Department)

Deferred to next committee meeting

Mover: Martinez Seconder: Sosa Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Assistant County Manager Pete Hernandez requested that this resolution be deferred pending further review.

Commissioner Martinez voiced his concerns regarding this resolution as it pertained to independent contractors, liability, local preference, and quality control.

Following further discussion, Commissioner Sosa requested from Mr. Pete Hernandez, Assistant County Manager, that RFP No. 425 increase the local preference in this contract above five (5%) and list the duties to be performed as "a variety of other duties."

The Committee deferred this proposed resolution for consideration at its next meeting scheduled for May 18, 2004 at 9:30 a.m.

2N

040897 Resolution

RESOLUTION DECLARING THE ACQUISITION OF A CONCRETE BRIDGE, CROSSING THE TAMIAMI CANAL (C-4), AT SW 137 AVENUE, TO BE A PUBLIC NECESSITY; AND AUTHORIZING THE COUNTY MANAGER AND THE COUNTY ATTORNEY TO EMPLOY APPRAISERS AND EXPERT WITNESSES, OBTAIN REQUIRED ENVIRONMENTAL AUDITS, AND ACQUIRE THE CONCRETE BRIDGE AT VALUES ESTABLISHED BY THE APPRAISALS OR BY EMINENT DOMAIN PROCEEDINGS; INCLUDING A DECLARATION OF TAKING AS NECESSARY (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Sosa
Vote: 5-0
Absent: Souto

20

040887 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. ONE (UNILATERAL) TO THE CONTRACT WITH M. VILA & ASSOCIATES, INC., FOR SW 97TH AVENUE FROM SW 40TH STREET TO SW 8TH STREET (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 610040) (Public Works Department)

Forwarded to BCC with a favorable recommendation

Mover: Sosa Seconder: Seijas Vote: 4-1 No: Martinez

Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Martinez spoke in opposition to this proposed resolution.

Commissioner Seijas requested that the County Manager provide her with a report outlining all Change Orders to contracts with M. Vila & Associates for the past five years, along with a recommendation from staff regarding what actions should be taken to address this matter. She asked that this report be submitted to her before the next GOE Committee meeting.

Public Works Director Aristides Rivera responded to questions from Commissioner Sosa regarding changes, delays and additional time to be awarded to M. Vila & Associates.

It was moved by Commissioner Sosa that the foregoing proposed resolution be forwarded to the Board of County Commissioners with a favorable recommendation, with a comment that the Board had approved an appropriate resolution instructing the County Manager to provide data and an analysis of each company performing work for the County, and that the performance record of each company be available for review during the County Commission's consideration of future contracts. This motion was seconded by Commissioner Diaz and, upon being put to a vote, passed by a vote of 4-1. (Commissioner Souto was absent and Commissioner Martinez voted "No.")

Commissioner Seijas asked that the contract with M. Vila & Associates not be placed on the ratification agenda for approval by the County Commission in September.

There being no other discussion, the Committee considered the next agenda item.

2P

040889 Resolution

RESOLUTION APPROVING REQUEST FOR WAIVER OF COMPETITIVE BIDS AND RETROACTIVE APPROVAL OF CHANGE ORDER NO. ONE TO THE CONTRACT WITH A NATIVE TREE SERVICE, INC. FOR ANNUAL ROADSIDE TRACTOR MOWING CONTRACT NO. 2 – ZONE C (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 621463) (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 4-1
No: Martinez
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioners Rolle and Martinez requested that the Department of Procurement Management Director provide them with a report explaining why the new contract was not sent out in sufficient time to prevent the requested bid waiver.

Commissioner Martinez spoke in opposition to the retroactive approval of a bid waiver.

Following further discussion, the Committee proceeded to vote on this resolution.

2Q

040891 Resolution

RESOLUTION APPROVING CHANGE ORDER NO. ONE TO THE CONTRACT WITH R. L. SAUM CONSTRUCTION COMPANY, INC., FOR VENETIAN CAUSEWAY TOLL PLAZA RECONSTRUCTION (MIAMIDADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 662451) (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Martinez spoke in support of the foregoing proposed resolution.

Public Works Director Aristides Rivera stated that the Public Works Department had not received a response from the City of Miami regarding reimbursement from the City of Miami for costs associated with the delay in construction activities.

There being no other discussion, the Committee proceeded to vote on this proposed resolution.

2R

040892 Resolution

RESOLUTION AUTHORIZING THE EXECUTION OF FOUR TRI-PARTY PRE-EMPTION AGREEMENTS AMONG MIAMI-DADE COUNTY, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FLORIDA EAST COAST RAILWAY AND CSX TRANSPORTATION, INC., FOR THE SYNCHRONIZATION OF RAILROAD CROSSING DEVICES AND TRAFFIC SIGNALS AT FOUR LOCATIONS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Mr. Ari Rivera, Director, Public Works
Department, responded to Commissioner
Martinez' questions regarding the amount of
funding reflected within Agenda Item 2R verus the
amount reflected within Agenda Item 2U.

Assistant County Manager Pete Hernandez pointed out that Agenda Item 2R was fully funded by the federal government and that Agenda Item 2U was 90% funded by the federal government and 10% funded by the State of Florida.

There being no other discussion, the Committee proceeded to vote on this resolution.

2S

040894 Resolution

RESOLUTION DECLARING THE ACQUISITION OF LAND FOR THE RIGHT-OF-WAY AND EASEMENTS NEEDED FOR IMPROVEMENTS TO NW 72 AVENUE, FROM NW 74 STREET TO OKEECHOBEE ROAD, STATE ROAD NO. 25, TO BE A PUBLIC NECESSITY; AND AUTHORIZING AND DIRECTING THE COUNTY MANAGER AND THE COUNTY ATTORNEY TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACCOMPLISH ACQUISITION OF THE SUBJECT PROPERTY, BY DONATION, PURCHASE, OR BY EMINENT DOMAIN COURT PROCEEDINGS INCLUDING A DECLARATION OF TAKING, IF NECESSARY, FOR AND ON BEHALF OF, MIAMI-DADE COUNTY, FLORIDA (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 6-0

2T

040898 Resolution

RESOLUTION APPROVING REQUEST FOR WAIVER OF COMPETITIVE BIDS AND RETROACTIVE APPROVAL OF CHANGE ORDER NO. ONE TO THE CONTRACT WITH A NATIVE TREE SERVICE, INC. FOR ANNUAL ROADSIDE TRACTOR MOWING CONTRACT NO. 2 – ZONE E (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 621463) (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 4-1
No: Martinez
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Rolle requested that the Department of Procurement Management Director provide him with a report explaining why the new contract was not sent out in time to avoid the need for a bid waiver.

There being no other discussion, the Committee proceeded to vote on this resolution.

2U

040900 Resolution

RESOLUTION AUTHORIZING EXECUTION OF FOUR TRI-PARTY AGREEMENTS AMONG MIAMI-DADE COUNTY, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FLORIDA EAST COAST RAILWAY, LLC AND CSX TRANSPORTATION, INC. FOR THE INSTALLATION OF RAILROAD CROSSING DEVICES AT FOUR LOCATIONS (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 5-0
Absent: Souto

Report: Si

SEE NOTE UNDER 2R

2V

040902 Resolution

RESOLUTION APPROVING REQUEST FOR WAIVER OF COMPETITIVE BIDS AND RETROACTIVE APPROVAL OF CHANGE ORDER NO. ONE TO THE CONTRACT WITH S.P.E.C., INC. FOR ANNUAL ROADSIDE TRACTOR MOWING CONTRACT NO. 2 – ZONE F (MIAMI-DADE COUNTY PUBLIC WORKS DEPARTMENT PROJECT NO. 621463) (Public Works Department)

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 4-1
No: Martinez
Absent: Souto

Tuesday, April 20, 2004

2W

040895 Resolution

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF SOLID WASTE MANAGEMENT TO CREDIT WASTE COLLECTION CUSTOMER ACCOUNTS FOR CERTAIN FORMER FAIRCLOTH SANITATION, INC. CUSTOMERS PURSUANT TO RECOMMENDATION OF INDEPENDENT REVIEW PANEL (Solid Waste Management Department)

Forwarded to BCC with a favorable recommendation Mover: Diaz Seconder: Sosa Vote: 6-0

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

In response to Commissioner Diaz, Mr. Charles Parkinson, Solid Waste Department Assistant Director, stated that Faircloth Sanitation, Inc. went out of business and that the service was currently being provided by the County.

There being no other discussion, the Committee proceeded to vote on this resolution.

2X

040498 Resolution

RESOLUTION APPROVING A JOINT FUNDING AGREEMENT BETWEEN MIAMI-DADE COUNTY AND U.S. GEOLOGICAL SURVEY ("USGS") TO CONDUCT A GROUNDWATER STUDY OF THE FLORIDAN AQUIFER AT THE SOUTH DISTRICT WASTEWATER TREATMENT PLANT (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation Mover: Diaz Seconder: Sosa Vote: 6-0

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

In response to Commissioner Sosa, Mr. William Brant, Water and Sewer Department Director, noted that Agenda Item 7C was related to Agenda Item 2X, but not to Agenda Item 2Y. He also noted that no agreement existed between the County and the State of Florida regarding protocol for the pilot testing of alternative treatment technologies for the South District Wastewater Treatment Plan.

Commissioner Sosa suggested the County pursue an agreement with the State of Florida involving protocol of this pilot program.

Chairperson Seijas asked that the agreement with the U.S. Geological Survey to conduct a ground water study of the Florida Aquifer and the alternative treatment technology per the Consent Order between Miami-Dade County and the State of Florida Department of Environmental Protection (DEP) be included in the Federal Legislative Priorities. (See Legislative No. 040631 (7C))

In response to Commissioner Martinez, Water and Sewer Department Director Brant provided a brief overview of the costs involved in the Groundwater Study.

Referring to handwritten page 15, Commissioner Sosa voiced her concern that matching funds from the United States Geological Survey (USGS) may not be received and the burden could fall on the County.

There being no other discussion, the Committee proceeded to vote on this resolution.

Tuesday, April 20, 2004

2Y

040502 Resolution

CONTRACT AWARD FOR ASR ULTRAVIOLET DISINFECTION SYSTEM LOCATED AT WEST WELL FIELD- 7200 SW 172ND AVENUE, SOUTHWEST WELL FIELD- 12350 SW 80TH STREET; CONTRACT NO. W-847; CONTRACTOR: UNITED ENGINEERING CORPORATION (Water & Sewer Department)

Forwarded to BCC with a favorable

recommendation Mover: Diaz Seconder: Sosa Vote: 6-0

2Z

040855 Resolution

RESOLUTION AUTHORIZING REFUND OF PAYMENT OF WATER AND SEWER CONNECTION CHARGES PURSUANT TO SECTION 2-348 OF THE CODE OF MIAMI-DADE COUNTY TO LAUNDRY FUTURE L.L.C. D/B/A BLOOMERS COIN LAUNDRY (Water & Sewer Department)

Forwarded to BCC with a favorable recommendation

Mover: Diaz Seconder: Sosa Vote: 6-0

2AA

040481 Ordinance

ORDINANCE AMENDING SECTION 24-58, SECTION 24-58.2, SECTION 24-58.3, AND SECTION 24-58.5 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; RELATING TO CLASS I, CLASS II, CLASS III, CLASS IV, CLASS V, AND CLASS VI PERMITS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Department of Environmental Resources Management)

Forwarded to BCC with a favorable

recommendation Mover: Sosa Seconder: Diaz Vote: 6-0

2BB

040456 Ordinance

ORDINANCE PERTAINING TO ZONING; AMENDING SECTION 33-284.62 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO MODIFY CERTAIN PARKING REQUIREMENTS IN THE DOWNTOWN KENDALL URBAN CENTER ZONING DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 040177] (Department of Planning & Zoning)

Withdrawn

Tuesday, April 20, 2004

2CC

040521 Ordinance

ORDINANCE MODIFYING COMMUNITY COUNCIL CONFIGURATION, NUMBERS AND MEMBER ASSIGNMENTS AFTER ANNEXATION OR INCORPORATION; PERMITTING FUTURE MODIFICATIONS BY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AFTER PUBLIC HEARING; AMENDING SECTIONS 20-42 AND 2--43 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE (Team Metro)

Withdrawn

Report: (See Agenda Item 2CC Amended)

2CC Amended

041177 Ordinance

ORDINANCE MODIFYING COMMUNITY COUNCIL CONFIGURATION, NUMBERS AND MEMBER ASSIGNMENTS AFTER ANNEXATION OR INCORPORATION; PERMITTING FUTURE MODIFICATIONS BY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AFTER PUBLIC HEARING; AMENDING SECTIONS 20-42 AND 20-43 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 040521] (Team Metro)

Forwarded to BCC without recommendation with committee amendments
Mover: Diaz
Seconder: Sosa
Vote: 6-0

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

In response to Chairperson Seijas' call for persons wishing to be heard in connection with this proposed ordinance, Ms. Anita Pittman, Community Zoning Appeals Board (CZAB), Area 3, appeared before the Committee. She noted that she represented the small area that was excluded as a result of incorporation of the City of Miami Gardens. Ms. Pittman explained that CZAB Area 2 had formed a Municipal Advisory Community Council and they were currently developing an incorporation proposal. She noted, for the record, that the residents she represented did not wish to be a part of the incorporation proposal.

Responding to questions from Chairperson Seijas regarding the comments previously made by Ms. Pittman, Mr. Sammie Walthour, Team Metro Director, noted that a proposed ordinance was currently being considered that would realign or reassign community council members. He pointed out that CZAB Area 2 could be dismantled pursuant to this ordinance, however, an investigation would be conducted by Team Metro to determine the impact and he would report back to the Committee later.

Chairperson Seijas asked the Team Metro Director, Mr. Sammie Walthour, to work with Community Council members to discuss this matter.

Commissioner Sosa suggested that toward the end of 2004, the County administration should collect data and schedule a workshop for evaluating incorporation and Community Council areas.

Mr. Walthour responded to Commissioner Martinez's comments regarding the possibility of reconfiguring Community Council areas.

Hearing no further questions or comments, the Committee proceeded to vote on the foregoing motion to forward this ordinance to the BCC without a recommendation, and with a committee amendment to change a small "c" to capital "C" on page 5.

There being no other discussion, the Committee considered the next item on the agenda.

2CC SUPP

041133 Report

SUPPLEMENTAL INFORMATION RE: AREA MAP WITH VOTING PRECINCTS

Report Received

3 COUNTY COMMISSION

ЗА

040462 Ordinance

Jose "Pepe" Diaz,

Bruno A. Barreiro, Natacha Seijas, Rebeca Sosa ORDINANCE PERTAINING TO ZONING AND ENVIRONMENTAL PROTECTION; CREATING ARTICLE XI, SECTION 33-152 ET SEQ. OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR ROCKMINING OVERLAY ZONING AREA: AUTHORIZING ROCKMINING AND ANCILLARY USES, CONTROL OF SUCH USES, AND WAIVER OF RIGHTS-OF-WAY IN OVERLAY ZONING AREA; REQUIRING APPLICATION TO THE BOARD OF COUNTY COMMISSIONERS FOR CERTAIN ANCILLARY USES TO ROCKMINING; AMENDING SECTIONS 33-13 AND 33-314 OF THE CODE; AMENDING SECTION 24-58.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO TIME OF COMPLETION OF WORK; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 040432]

Withdrawn

Report:

See Agenda Item 3A Substitute -Legislative File #

040833

Tuesday, April 20, 2004

3A SUB

040833 Ordinance

Jose "Pepe" Diaz,

Bruno A. Barreiro, Natacha Seijas, Rebeca Sosa ORDINANCE PERTAINING TO ZONING AND ENVIRONMENTAL PROTECTION; CREATING ARTICLE XI, SECTION 33-152 ET SEQ. OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR ROCKMINING OVERLAY ZONING AREA; AUTHORIZING ROCKMINING AND ANCILLARY USES, CONTROL OF SUCH USES, AND WAIVER OF RIGHTS-OF-WAY IN OVERLAY ZONING AREA; REQUIRING APPLICATION TO THE BOARD OF COUNTY COMMISSIONERS FOR CERTAIN ANCILLARY USES TO ROCKMINING; AMENDING SECTIONS 33-13 AND 33-314 OF THE CODE; AMENDING SECTION 24-58.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO TIME OF COMPLETION OF WORK; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 040432 AND 0404621

Withdrawn

Report: See Agenda Item 3A Substitute Amended-

Legislative File # 041169

3A SUB amd

041169 Ordinance

Jose "Pepe" Diaz,

Bruno A. Barreiro, Natacha Seijas, Rebeca Sosa ORDINANCE PERTAINING TO ZONING AND ENVIRONMENTAL PROTECTION; CREATING ARTICLE XI, SECTION 33-152 ET SEQ. OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO PROVIDE FOR ROCKMINING OVERLAY ZONING AREA: AUTHORIZING ROCKMINING AND ANCILLARY USES, CONTROL OF SUCH USES, AND WAIVER OF RIGHTS-OF-WAY IN OVERLAY ZONING AREA: REOUIRING APPLICATION TO THE BOARD OF COUNTY COMMISSIONERS FOR CERTAIN ANCILLARY USES TO ROCKMINING; AMENDING SECTIONS 33-13 AND 33-314 OF THE CODE; AMENDING SECTION 24-58.9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, RELATING TO TIME OF COMPLETION OF WORK; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 040432, 040462 AND 0408331

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Sosa
Seconder: Diaz
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

Chairperson Seijas provided a brief report on the intent of this proposed ordinance.

In response to Chairperson Seijas' call for persons wishing to be heard, the following individuals appeared in opposition to this proposed ordinance.

- •Michael Pizzi, Councilman, Town of Miami Lakes
- •Vanessa Bravo, Councilwoman, City of Hialeah
- •Richard Freedman, 6328 N.W. 175 Terrace
- •Rosa Cassett (phonetic) 8238 NW 192 Terrace
- •Barbara Lange, 3198 Via Abitare Way, Miami, representing the Sierra Club
- •Ms. Narvice (phonetic)
- •John Wade, 20925 SW 187 Avenue
- •Pat Wade, 20925 SW 187 Avenue

Ms. Kari Barsh, Attorney, 1221 Brickell Avenue, representing Whiterock Quarries.

Mr. Guillermo Olmedillo, 330 Brickell Avenue, provided presentations in support of this proposed ordinance.

Mr. Miguel DeGrandy, representing Whiterock Quarries appeared before the Committee. He rebutted comments from Mr. John Wade and Town of Miami Lakes Councilman Michael Pizzi. In response to Chairperson Seijas' call for persons wishing to be heard, Pete Cabrera, 4055 N.W. 97 Avenue, appeared in support of this proposed ordinance.

In response to Commissioner Sosa, Assistant County Attorney Coller stated that the Board's action on the proposed ordinance would determine what uses were allowed as a matter of right in the proposed Rockmining Overlay Zoning Area (ROZA) district.

In response to Commissioner Martinez, Assistant County Attorney Coller stated that members of the public could appeal an administrative decision on a permit in the proposed ROZA to the Board of County Commissioners, only if the "Director" erred in issuing a Certificate of Use.

Mr. Al Torres, Assistant Director for Zoning, confirmed that a Rockmining Certificate of Use was required when a developer requested to excavate outside the boundaries that were approved.

Commissioner Martinez noted that the public was not notified when someone applied for a permit.

Commissioner Seijas, as the Committee Chairperson, asked the County Attorney to prepare a Committee sponsored ordinance for consideration by the GOE Committee amending Chapter 24 of the Code relating to permit applications to provide for public hearings on Class IV Permits. She requested that this ordinance be developed as soon as possible, under the leadership of Commissioner Diaz and include input from the Public Works Department and the Department of Environmental Resources Management. Commissioner Seijas also asked that staff explore alternatives for notifying the affected public on the pending issuance of such permits.

In response to Commissioner Sosa, Chairperson Seijas stated that the public would have opportunities to speak on the proposed Committee sponsored ordinance amending Chapter 24 of the Code after first reading, before this GOE Committee.

Following further discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

Commissioner Martinez asked that he be given a copy of the proposed ordinance drafted by the County Attorney to amend Chapter 24 of the Code relating to permit applications to provide for public hearings on Class IV Permits before the April 27, 2004, County Commission meeting.

Assistant County Attorney Henry Gillman asked that the foregoing proposed ordinance be amended to include the following language on handwritten page 7, Section 10, entitled: "Rock Mining Overlay Zoning": "the west ½ of Section 13, all of Sections 15, 16, 21, 22,23, 24, 25, 26, 27, 28, 33, 34, 35," and "the west ½ of Section 36."

There being no other discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

3B

040093 Resolution

Sally A. Heyman,

Dorrin D. Rolle

RESOLUTION CODESIGNATING NE 18TH AVENUE FROM NE 142ND STREET TO NE 151ST STREET AS BROTHERS GIBB BOULEVARD

Forwarded to BCC with a favorable recommendation
Mover: Rolle
Seconder: Diaz
Vote: 3-2
No: Seijas, Martinez
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Noting that the foregoing proposed resolution had been deferred three times, Commissioner Rolle expressed displeasure that neither the Brothers Gibb nor the sponsor of the proposed resolution acknowledged that NE 18th Avenue was within District 2, nor had he received a formal request as that District's commissioner.

Following further discussion, the Committee proceeded to vote on the foregoing proposed resolution.

Tuesday, April 20, 2004

3C

040156 Ordinance

Sen. Javier D. Souto,

Dennis C. Moss

ORDINANCE PERTAINING TO MINIMUM
MAINTENANCE STANDARDS FOR PROPERTY IN THE
UNINCORPORATED AREAS OF MIAMI-DADE COUNTY;
MODIFYING CHAPTER 19 OF THE CODE OF MIAMIDADE COUNTY, FLORIDA (THE "CODE"); AMENDING
SECTIONS 19-3, 19-8, 19-12, 19-13, 19-15.3, 19-15.5, 1915.12 OF THE CODE; PROVIDING AUTHORITY FOR
ENFORCEMENT BY CIVIL PENALTY; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE
NO. 040099]

Withdrawn

Report:

See Agenda Item No. 3C Substitute-Legislative

File # 040466

3C SUB

040466 Ordinance

Sen. Javier D. Souto,

Dennis C. Moss

ORDINANCE PERTAINING TO MINIMUM MAINTENANCE STANDARDS FOR PROPERTY IN THE UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; MODIFYING CHAPTER 19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (THE "CODE"); AMENDING SECTIONS 19-3, 19-8, 19-12, 19-13, 19-15.3, 19-15.5, 19-15.12 OF THE CODE; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NOS. 040099 AND 040156]

Withdrawn

Report:

See Agenda Item No. 3C Substitute No. 2-

Legislative File #041126

3C SUB NO. 2

041126 Ordinance

Sen. Javier D. Souto,

Dennis C. Moss, Katy Sorenson ORDINANCE PERTAINING TO MINIMUM MAINTENANCE STANDARDS FOR PROPERTY IN THE UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; MODIFYING CHAPTER 19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (THE "CODE"); AMENDING SECTIONS 19-3, 19-8, 19-12, 19-13, 19-15.3, 19-15.5, 19-15.12 OF THE CODE; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE

NOS. 040099, 040156 AND 0404661

Forwarded to BCC without a recommendation Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

In response to Chairperson Seijas' call for persons wishing to be heard, Mr. John Wade, 20925 S.W. 187 Avenue, appeared in opposition to this proposed ordinance.

Responding to comments from Mr. Wade, Assistant County Attorney Gillman clarified that bonafide agricultural uses were exempted from the proposed ordinance.

In response to Commissioner Sosa, Ms. Grisel Rodriguez, Team Metro, agreed with Commissioner Sosa regarding obstacles to enforcement of Section 19-3.5 of the Dade County Code.

Ms. Rodriguez clarified issues in connection with illegal dumping, open air storage, including Sec. 19-13, handwritten page 8, and parking and paved areas in residential areas (Sec. 19-15.3).

Commissioner Sosa inquired about fiscal impact in connection with this ordinance.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

Chairperson Seijas asked that all Commissioners be kept informed of issues in connection with this ordinance.

Tuesday, April 20, 2004

3D

040164 Ordinance

Jimmy L. Morales

ORDINANCE PERTAINING TO ZONING; AMENDING CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING MEDICAL ALLIED TRAINING FACILITIES AS A PERMITTED USE IN THE RU-5A, SEMI-PROFESSIONAL OFFICE DISTRICT; PROVIDING DEFINITION; AUTHORIZING BUILDINGS OF PUBLIC ASSEMBLY IN THE RU-5A ZONING DISTRICT TO COMPLY WITH SETBACKS REQUIRED FOR CERTAIN OTHER STRUCTURES PERMITTED IN THE DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Withdrawn

Report:

(See Agenda Item 3D Substitute-Legislative File #

040654)

3D SUB

040654

Ordinance

Jimmy L. Morales

ORDINANCE PERTAINING TO ZONING; AMENDING CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING MEDICAL ALLIED TRAINING FACILITIES AS A PERMITTED USE IN THE RU-5A, SEMI-PROFESSIONAL OFFICE DISTRICT; PROVIDING DEFINITION; AUTHORIZING BUILDINGS OF PUBLIC ASSEMBLY IN THE RU-5A ZONING DISTRICT TO COMPLY WITH SETBACKS REQUIRED FOR CERTAIN OTHER STRUCTURES PERMITTED IN THE DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 040164]

Withdrawn

Report:

See 3D Substitute Amended-Legislative File #

041175

Tuesday, April 20, 2004

3D SUB amd

041175 Ordinance

Jimmy L. Morales

ORDINANCE PERTAINING TO ZONING; AMENDING CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AUTHORIZING MEDICAL ALLIED TRAINING FACILITIES AS A PERMITTED USE IN THE RU-5A, SEMI-PROFESSIONAL OFFICE DISTRICT; PROVIDING DEFINITION; AUTHORIZING BUILDINGS OF PUBLIC ASSEMBLY IN THE RU-5A ZONING DISTRICT TO COMPLY WITH SETBACKS REQUIRED FOR CERTAIN OTHER STRUCTURES PERMITTED IN THE DISTRICT; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEMS UNDER FILE NO. 040164, 040654]

Forwarded to BCC with a favorable recommendation with committee amendment(s)
Mover: Diaz
Seconder: Sosa

Vote: 4-1 No: Seijas Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

In response to Chairperson Seijas' call for persons wishing to be heard, Mr. Michael Radell, 200 S. Biscayne Boulevard, requested to address the Committee in support of this proposed ordinance.

Chairperson Seijas requested that the Clerk of the Board investigate whether Mr. Radell was registered as a lobbyist.

The public hearing was closed after no one appeared in response to Chairperson Seijas' call for persons wishing to be heard in connection with the foregoing proposed ordinance.

Commissioner Morales provided a brief report on the intent of the foregoing proposed ordinance.

Assistant County Attorney Gillman noted that the word, "is" was missing after the word "that" on handwritten page 5, (27A).

Chairperson Seijas expressed concern over the 2 net acre minimum requirement and that the ordinance could set a precedent for strong industrial areas.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

Chairperson Seijas requested that Assistant County Attorney Gillman inform Mr. Radell that he was not registered as a lobbyist. 3E

040717 Ordinance

Dennis C. Moss

ORDINANCE RELATING TO ELECTION CAMPAIGN FINANCING TRUST FUND; AMENDING SECTION 12-22 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO PROVIDE THAT ONLY CANDIDATES RECEIVING TRUST FUNDS ARE REQUIRED TO FILE TRIGGER REPORTS; REQUIRING CANDIDATES WHO DO NOT INTEND TO REQUEST TRUST FUNDS TO FILE SPECIFIED NOTICE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairperson Seijas; however, it was closed after no one appeared in response to Chairperson Seijas' call for persons wishing to be heard in connection with the foregoing proposed ordinance.

The Committee proceeded to vote on the foregoing proposed ordinance.

In response to Commissioner Martinez' inquiry, Mr. Robert Meyers, Commission on Ethics and Public Trust Director, clarified the eligibility criteria contained within this ordinance.

Commissioner Martinez expressed disapproval of using public funds to finance campaigns without public input.

Commissioner Sosa requested a total of tax expenditures on elections following the up coming elections scheduled in 2004.

Following comments by Chairperson Seijas regarding the use of special interest money and by Commissioner Martinez regarding attorneys' and accountants' fees, the Committee proceeded to vote on the motion to forward the foregoing ordinance to the Board of County Commissioners with a favorable recommendation.

3F

040721 Ordinance

Dennis C. Moss

ORDINANCE RELATING TO ZONING; AMENDING SECTION 33-312 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, TO EMPOWER ETHICS COMMISSION TO MAKE FINDING OF WILLFUL VIOLATION OF CONFLICT OF INTEREST PROVISIONS OF THE CODE IN CONNECTION WITH DECISIONS OF COMMUNITY ZONING APPEALS BOARDS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairperson Seijas; however, it was closed after no one appeared in response to Chairperson Seijas' call for persons wishing to be heard in connection with the foregoing proposed ordinance.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

3G

040133 Ordinance

Dorrin D. Rolle

ORDINANCE AMENDING SECTION 32-122 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING NOTIFICATION TO OWNERS OF RENTAL PROPERTIES CITED FOR TAMPERING WITH UTILITY FIXTURES AND PROVIDING PROCEDURES THEREFOR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Withdrawn

Report:

See Agenda Item No. 3G Substitute-Legislative

File # 040759

Tuesday, April 20, 2004

3G SUB

040759 Ordinance

Dorrin D. Rolle

ORDINANCE AMENDING SECTION 32-122 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING FOR NOTIFICATION TO THE PROPERTY OWNERS OF RENTAL PROPERTIES THAT ARE CITED FOR TAMPERING WITH UTILITY FIXTURES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 040133]

Forwarded to BCC with a favorable recommendation

Mover: Martinez Seconder: Rolle Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairperson Seijas; however, it was closed after no one appeared in response to Chairperson Seijas' call for persons wishing to be heard in connection with the foregoing proposed ordinance.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

3H

040270 Ordinance

Katy Sorenson

ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROHIBITING THE USE OF SPECIAL TAXING DISTRICTS TO PROVIDE SIDEWALK IMPROVEMENTS OR STREET LIGHTING SERVICES IN AREAS DESIGNATED AS AGRICULTURAL ON THE COUNTY'S COMPREHENSIVE LAND USE PLAN; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Deferred to next committee meeting

Mover: Rolle Seconder: Diaz Vote: 5-0 Absent: Souto

Report:

In response to Chairperson Seijas' call for persons wishing to be heard, the following individuals appeared in support of this proposed ordinance:

- •MB Hatcher, 25145 SW 144 Avenue, Homestead, Redland Area
- •Dewey Steele, 22320 SW 256 Street, Homestead, Redland Area
- •Sydney Robinson, P.O. Box 4245, representing the Redland Citizens Association, Homestead, Redland Area
- •Martin R. Moats, 25000 Farmlife Road, Homestead, Redland Area
- •John Wade, 20925 S.W. 187 Avenue, Homestead, Redland Area

In response to Chairperson Seijas' call for persons wishing to be heard, Ricardo Rodriguez, S.W. 212 Street and S.W. 147 Avenue, representing South Kendall Estates, appeared in opposition to this proposed ordinance.

Commissioner Martinez voiced his concerns that no one from horse country appeared before the Committee regarding this proposed ordinance.

In response to Commissioner Martinez, Assistant County Manager Pete Hernandez stated that the vote of the majority of an area (50+1) was needed for approval of a special taxing district.

Mr. Al Torres, Assistant Director, Planning and Zoning Department, stated that the designation of South Kendall Estates was agricultural and zoning was estate (EU-1).

Commissioner Martinez and Commissioner Sosa spoke in opposition to this proposed ordinance.

The Committee deferred this proposed ordinance

for consideration at its next meeting scheduled for May 18, 2004 at 9:30 a.m.

31

040836 Resolution

Rebeca Sosa

RESOLUTION CODESIGNATING SW 67TH AVENUE FROM FLAGLER STREET TO SW 8TH STREET AS DR. ARMANDO BUCELO WAY

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Rolle
Vote: 4-1
No: Seijas
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

The public hearing was opened by Chairperson Seijas; however, it was closed after no one appeared in response to Chairperson Seijas' call for persons wishing to be heard in connection with the foregoing proposed resolution.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed resolution.

ЗJ

040588 Ordinance

Rebeca Sosa,

Joe A. Martinez

ORDINANCE RELATING TO THE NAMING OR CODESIGNATION OF COUNTY ROADS, FACILITIES OR PROPERTY; REPEALING SUNSET PROVISION OF ORDINANCE 02-105; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Forwarded to BCC with a favorable recommendation
Mover: Martinez
Seconder: Rolle
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed ordinance into the record.

The public hearing was opened by Chairperson Seijas; however, it was closed after no one appeared in response to Chairperson Seijas' call for persons wishing to be heard in connection with the foregoing proposed ordinance.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed ordinance.

3K

040537 Resolution

Dr. Barbara Carey-Shuler

RESOLUTION SETTING FORTH CRITERIA AND FACTORS TO BE USED IN THE REDISTRICTING PROCESS; PROVIDING FOR A REDISTRICTING ADVISORY BOARD AND A PUBLIC HEARING PROCESS

Forwarded to BCC with a favorable recommendation
Mover: Diaz

Seconder: Sosa Vote: 5-0 Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Discussion ensued between Commissioner Martinez and Chairperson Seijas on the intent of this proposed resolution.

In response to Commissioner Martinez, Assistant County Attorney Randy Duval explained that the intent of the proposed resolution was to settle a federal lawsuit challenging the County Commission redistricting plan and to clarify the redistricting process by providing legal criteria. He stated that the proposed resolution incorporated a citizen's advisory board into the public workshop process without undermining the powers of the Board of County Commissioners (BCC). Mr. Duval stated that the County Attorney's Office and experts appointed by the BCC would advise the citizens' advisory board.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed resolution.

3L

040724 Resolution

Sally A. Heyman

RESOLUTION DECLARING A 1994 DODGE CARGO VAN SURPLUS AND AUTHORIZING ITS DONATION TO BETH TORAH ADATH YESHURUN, INC.

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Souto

Tuesday, April 20, 2004

ЗМ

040781 Resolution

Joe A. Martinez

RESOLUTION DIRECTING COUNTY MANAGER TO NOTIFY THE MIAMI-DADE COUNTY SCHOOL BOARD THAT IT HAS FAILED TO COMPLY WITH THE TERMS OF THE INTERLOCAL AGREEMENT REGARDING COLLECTION AND EXPENDITURE OF EDUCATIONAL FACILITIES IMPACT FEE

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Rolle
Vote: 5-0

Absent: Souto

3N

040918 Resolution

Jimmy L. Morales

RESOLUTION DECLARING A 1994 FORD AEROSTAR MINIVAN SURPLUS AND AUTHORIZING ITS DONATION TO GREATER ST. PAUL A.M.E. CHURCH, INC.

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Souto

30

033350 Resolution

Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MANAGER TO DISCONTINUE THE COUNTY'S DEPARTURE INCENTIVE PROGRAM [SEE AGENDA ITEM NOS. 1(F)2 & 7(D)] Withdrawn Mover: Seijas Seconder: Sosa Vote: 4-0

Absent: Martinez, Souto

Report:

The foregoing proposed resolution was withdrawn as a part of the changes requested by County Manager Burgess to today's (4/20) agenda.

Tuesday, April 20, 2004

3P

041001 Resolution

Dennis C. Moss

RESOLUTION DIRECTING THE COUNTY MANAGER
TO CONDUCT A COMPREHENSIVE STUDY ON THE
EFFECTS OF UNPRECEDENTED POPULATION AND
HOUSING GROWTH ON THE URBAN DEVELOPMENT
BOUNDARY IN SOUTH AND SOUTHWEST MIAMIDADE COUNTY AND THE IMPACTS OF INFILL
DEVELOPMENT ON THE PROCESS OF
GENTRIFICATION AND DISPLACEMENT OF CURRENT
RESIDENTS WITH LIMITED MEANS, WITH THE
PURPOSE OF DEVELOPING POTENTIAL
AMENDMENTS TO THE COMPREHENSIVE
DEVELOPMENT MASTER PLAN, AND FURTHER
DIRECTING THE COUNTY MANAGER TO ALLOCATE
APPROPRIATE RESOURCES FOR CONDUCTING THE
STUDY

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Diaz asked that the School Studies Report be placed on the next BCC agenda along with the companion to this proposed resolution.

There being no other discussion, the Committee proceeded to vote on the foregoing proposed resolution.

3Q

040244 Resolution

Rebeca Sosa

RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY MANAGER TO CREATE A THINK TANK TO ANALYZE AVAILABILITY OF FRESH WATER FROM THE BISCAYNE AQUIFER AND RECOMMEND ACTIONS TO MEET FUTURE FRESH WATER DEMANDS

Withdrawn Mover: Seijas Seconder: Sosa Vote: 4-0 Absent: Martinez, Souto

Report:

The foregoing proposed resolution was withdrawn as a part of the changes requested by County Manager Burgess to today's (4/20) agenda.

Tuesday, April 20, 2004

3R

041090 Resolution

Betty T. Ferguson

RESOLUTION DIRECTING THE COUNTY MANAGER TO DETERMINE THE FEASIBILITY OF RELOCATING THE TRASH AND RECYCLING CENTER LOCATED AT 16300 NW 42ND AVENUE FOR THE CREATION OF OPEN SPACE AND/OR PARK SPACE

Forwarded to BCC with a favorable recommendation
Mover: Diaz
Seconder: Sosa
Vote: 5-0
Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Chairperson Seijas requested that the County Manager determine the feasibility of relocating the trash and recycling center located at 16300 NW 42nd Avenue within the same service area.

Commissioner Martinez requested that the feasibility study for relocating the trash and recycling center at 16300 N.W. 42nd Avenue indicate who would be responsible for costs associated with the environmental cleanup, the donation of land, and the conversion of land within the City of Miami Gardens to "Open Space and /or Park Space."

There being no other discussion, the Committee proceeded to vote on the foregoing proposed resolution.

3S

041095 Resolution

Natacha Seijas

RESOLUTION DIRECTING THE COUNTY MANAGER TO ADOPT RECOMMENDATIONS TO IMPROVE THE OVERALL QUALITY AND DAILY UPKEEP OF FACILITIES MANAGED BY THE GENERAL SERVICES ADMINISTRATION Forwarded to BCC with a favorable recommendation Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

ЗТ

041141 Resolution

Natacha Seijas

RESOLUTION DIRECTING COUNTY MANAGER TO IMPLEMENT PROCEDURES FOR THE USE OF THE "REFRESHED" COUNTY LOGO AS THE OFFICIAL COUNTY BRAND

Forwarded to BCC with a favorable recommendation Mover: Diaz Seconder: Rolle Vote: 5-0 Absent: Souto 3U

041202 Resolution

Jose "Pepe" Diaz,

Rebeca Sosa

RESOLUTION DIRECTING COUNTY MANAGER TO TAKE APPROPRIATE STEPS TO EXPAND THE SAFE LITE MONITORING PILOT PROGRAM COUNTYWIDE, BEGIN IMPLEMENTATION OF THE SAFE LITE MONITORING SYSTEM IN FLOOD-PRONE AREAS AND PERFORM FISCAL IMPACT STUDY COMPARING COUNTYWIDE INSTALLATION OF SAFE LITE MONITORING SYSTEM AT ONE TIME WITH PHASED INSTALLATION

Forwarded to BCC with a favorable recommendation Mover: Diaz Seconder: Sosa

Vote: 6-0

4 COUNTY MANAGER

4A

040913 Resolution

RESOLUTION RATIFYING THE COUNTY MANAGER'S ACTION, AS AUTHORIZED BY THE EXPEDITE ORDINANCE NO. 00-104, IN APPROVING ACTIVITIES LISTED ON THE ATTACHED SCHEDULE FOR CAPITAL IMPROVEMENT PROJECTS (County Manager)

Forwarded to BCC with a favorable recommendation Mover: Diaz Seconder: Rolle Vote: 4-1 No: Martinez

Absent: Souto

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Martinez sated that he would vote no on the foregoing proposed resolution until he received further information.

In response to Commissioner Rolle, Mr. Roger Herndstadt, Capital Improvements Construction Coordinator, stated that three African American firms were eligible to perform dredging, while Ms. Marsha Jackman, Department of Business Development Director, provided the names of the three eligible African American Firms.

Following further discussion, Capital Improvements Construction Coordinator Roger Hernstadt stated that dredging contracts to two of the African American firms discussed would be submitted to the Committee at its meeting of May 18, 2004.

There being no further discussion, the Committee proceeded to vote on this resolution.

Tuesday, April 20, 2004

4B

040364 Resolution

RESOLUTION GRANTING LIMITED CONFLICT WAIVER REQUESTS SUBMITTED BY TALLAHASSEE CONTRACT LOBBYISTS (County Manager) **Tabled**

Report:

See Agenda Item No. 4B Substitute-Legislative

File # 041058

4B SUB

041058 Resolution

RESOLUTION GRANTING LIMITED CONFLICT WAIVER REQUESTS SUBMITTED BY TALLAHASSEE CONTRACT LOBBYISTS (County Manager) **Tabled**

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed resolution into the record.

Commissioner Sosa requested that the Committee be provided with a report on the selection criteria for lobbyists.

Following clarification by Mr. Gillman regarding the Committee's discretion to lay this matter on the table, the Committee proceeded to vote on the foregoing proposed resolution.

Commissioner Sosa requested that the Committee be provided with a report on the selection criteria for lobbyists.

5 COUNTY ATTORNEY

6 CLERK OF THE BOARD

6A

040708 Report

APPROVAL OF COMMISSION COMMITTEE MINUTES FOR FEBRUARY 10, 2004 (Clerk of the Board)

Report Received

7 REPORTS

Tuesday, April 20, 2004

7A

041014 Report

REPORT REGARDING SERVICE DELIVERY PRIORITIES AND BUSINESS PLAN OUTLOOK FOR FISCAL 2004-05 BUDGET (County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

Report:

Commissioner Seijas, as Chair of the GOE Committee, asked Assistant County Manager Pete Hernandez to work with her staff and members of the GOE Committee to schedule a morning workshop in May 2004 to consider Service Delivery Priorities and the Business Plan Outlook for FY 04-05.

7B

040620 Report

ORAL REPORT RE: NORTHWEST 87TH AVENUE ROAD CONSTRUCTION PROJECT (County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

7C

040631 Report

ALTERNATIVE TREATMENT TECHNOLOGY PER CONSENT ORDER WITH STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION (County Manager)

Report Received Mover: Sosa Seconder: Diaz Vote: 6-0

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed report into the record.

Commissioners Martinez and Diaz recommended that Mr. William Brant, WASD Director, pursue this matter vigorously as indicated in this report.

There being no other discussion, the Committee proceeded to accept this report.

CLERK'S SUMMARY OF

Meeting Minutes

Tuesday, April 20, 2004

7D

040655 Report

REPORT RE: DEPARTURE INCENTIVE PROGRAM (D.I.P.) [SEE AGENDA ITEM NOS. 1(F)2 & 3(O)] (County Manager)

Withdrawn Mover: Seijas Seconder: Sosa Vote: 4-0

Absent: Martinez, Souto

Report: The foregoing proposed report was withdrawn as

a part of the changes requested by County Manager Burgess to today's (4/20) agenda.

7E

040501 Report

WASD'S PLAN TO ADDRESS AUDIT RECOMMENDATIONS (County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

7F

040509 Report

PROGRESS REPORT ON RECOMMENDATIONS OF THE MIAMI-DADE COUNTY FLOOD MANAGEMENT TASK FORCE FEBRUARY 2004 (County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

7G

041054 Report

ORAL REPORT RE: DISINFECTION PILOT STUDIES UPDATE (County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto 7H

040659 Report

SAFE LITE MONITORING SYSTEM PILOT PROGRAM; CONSULTANT REPORT ON THE OBSERVATIONS OF THE MONITORING SYSTEM FOR STREET LIGHT INSTALLATIONS (County Manager) Report Received Mover: Diaz Seconder: Sosa Vote: 6-0

Report:

Assistant County Attorney Henry Gillman read the foregoing proposed report into the record.

Mr. Aristides Rivera, Public Works Department Director, provided an overview of the foregoing proposed report.

Commissioner Diaz requested that the County Attorney prepare a proposed resolution providing for the implementation of the Safe-Lite Monitoring (SLM) System Countywide and providing for a fiscal impact report regarding the installation of the SLM System all at once versus installing it in phases.

Following further discussion in connection with implementing the SLM System Countywide, the Committee proceeded to accept this report.

71

040899 Report

SUNSET REVIEW OF COUNTY BOARDS FOR 2004-CONSTRUCTION TRADES QUALIFYING BOARD, DIVISION "B"

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

7J

040901 Report

AGRICULTURAL PRACTICES STUDY ADVISORY BOARD ANNUAL REPORT FOR CALENDAR YEARS 2002 AND 2003 Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

Tuesday, April 20, 2004

7K

040905 Report

RE: REPORT ON HOUSING IMPACT OF DEVELOPMENT ON PUBLIC SCHOOLS (RESOLUTION R-1418-02)

(County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

7L

040907 Report

COURTHOUSE RESTORATION UPDATE (County

Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

7M

040595 Report

GSA COMPREHENSIVE STUDY: RECOMMENDED RENT MODEL AND FLEET COMPARATIVE UPDATE

(County Manager)

Report Received Mover: Diaz Seconder: Sosa Vote: 5-0 Absent: Souto

Report:

Concerning the Budget, Chairperson Seijas noted the Committee would continue to address issues involving the way the Department of General Services Administration (GSA) bills other County departments for rent and services. She asked that her colleagues accept the report and approve the resolution instructing the County Manager to move forward on this issue.

041728 Report

REQUEST BY COMMISSIONER ROLLE FOR A LEAD LIGHT SIGNAL

Report:

Commissioner Rolle asked that Public Works Department Director Aristides Rivera explore the possibility of installing a westbound turn (lead light) signal at the intersection of N.W. 103 Street

and N.W. 17th Avenue.

8 ADJOURNMENT